

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES,)	Case No. 0:08-cv-05348
)	
Plaintiff,)	Hon. Ann D. Montgomery
)	
v.)	NOTICE OF MOTION
)	
THOMAS J. PETTERS, ET AL.,)	
)	
Defendants.)	

PLEASE TAKE NOTICE that, based upon the accompanying Memorandum of Law, Ritchie Special Credit Investments, Ltd., Rhone Holdings II. Ltd, Yorkville Investment I, L.L.C., Ritchie Capital Structure Arbitrage Trading, Ltd., and Ritchie Capital Management L.L.C. (hereinafter “Ritchie” or “Petitioners”), by its attorneys Kelly & Berens, P.A., will move and hereby does move, at a date and time to be determined by the Court, for an order allowing Ritchie to intervene under Fed. R. Civ. P. 24 for the limited purpose of modifying and vacating the asset freeze and receivership orders herein, in part: (i) to modify or vacate the asset freeze and receivership orders to the extent that they restrain assets for which no proper showing under 18 U.S.C § 1345 has been made; and (ii) to declare the earlier asset freeze and receivership orders, to the extent modified or vacated, to be void *ab initio*.

Dated: March 23, 2009.

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pro hac vice admission to be filed

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